

**UNITED STATES DISTRICT COURT
DISTRICT OF NEVADA**

HERB W. DAY,)
Plaintiff,)
vs.)
BANK OF AMERICA, N.A., ET AL.,)
Defendants.)
)
Case No.: 2:11-cv-02030-GMN-GWF
**ORDER ACCEPTING REPORT AND
RECOMMENDATION OF UNITED
STATES MAGISTRATE JUDGE**

Before the Court for consideration is the Report and Recommendation (ECF No. 4) of the Honorable George W. Foley, United States Magistrate Judge, entered December 22, 2011. No objections have been filed. The Court has conducted a *de novo* review of the record in this case in accordance with 28 U.S.C. § 636(b)(1) and Local Rule IB 1-4, and determines that Magistrate Judge Foley's Recommendations should be **ACCEPTED**.

IT IS THEREFORE ORDERED that Magistrate Judge Foley's Recommendations are hereby **ACCEPTED**, and Plaintiff's Application to Proceed in Forma Pauperis (ECF No. 1) is hereby **DENIED**. Plaintiff shall submit to the Clerk's Office the \$350.00 civil filing fee on or before **Wednesday, January 25, 2012**, or Plaintiff's Complaint will be DISMISSED, without further notice.

DATED this 20th day of January, 2012.

Gloria M. Navarro
United States District Judge